

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDWIN JOHN TORRES,

No. C 08-1114 MHP (pr)

Plaintiff,

ORDER OF DISMISSAL

v.

ALAMEDA COUNTY,

Defendant.

On September 23, 2008, mail was sent to plaintiff at the county jail address he provided to the court and was returned undelivered on September 29, 2008, marked as "not in custody." More than sixty days have passed since the mail was returned to the court undelivered. Plaintiff has failed to comply with Local Rule 3-11(a) which requires that a party proceeding pro se must "promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address" when his address changes. Local Rule 3-11(b) allows the court to dismiss a complaint without prejudice when mail directed to a pro se party is returned as not deliverable and the pro se party fails to send a current address within sixty days of the return of the undelivered mail. This action is dismissed without prejudice because plaintiff failed to keep the court informed of his address in compliance with Local Rule 3-11(a).

IT IS SO ORDERED.

Dated: April 15, 2010


Marilyn Hall Patel
United States District Judge